

FEDERAL CRIMINAL LAW IMPROVEMENTS UNDER THE 1994 VIOLENCE AGAINST WOMEN ACT

- 1. Up To Double Prison Time For Repeat Sex Crime Offenders.**
Applies to those committing a sex crime offense and who have been convicted previously of:
 - aggravated sexual abuse (sexual act plus use of force or creates fear of death; statutory penalty is any term of years or life, or both);
 - sexual abuse (sexual activity plus creates fear of bodily harm or victim is unable to understand/resist attack; statutory penalty is up to 20 years); or
 - abusive sexual contact (contact that if it had been a sexual act would be sexual or aggravated sexual abuse; statutory penalty is up to 10 years).
- B. Sentencing Guidelines Amended To Allow For Increased Federal Penalties For Sex Crimes Where More Than One Offender Involved.**
- C. Mandatory Restitution To Victims of Violence Against Women.**
Mandatory restitution to victims for losses sustained (such as medical care, therapy or rehabilitation, needed transportation, temporary housing, child care, lost income, court costs and attorneys' fees).
- D. "Rape Shield Law" Protection for Victims of Violence Against Women.**
Federal Rule of Evidence 412 revised to generally bar use of evidence about the victim's claimed sexual misconduct to show other sexual behavior or predisposition of the victim, except in narrow circumstances where it would be substantially unfair to exclude it.
- E. Interstate Enforcement Of Violent Crimes Against Women**
 - 1. New Federal Crime For Interstate Domestic Violence.**
New federal criminal offense for crossing, or forcing a spouse or intimate partner to cross, state lines or Indian country borders with the intent to, and does, commit a crime causing bodily injury to a spouse or partner.
Penalties: life or a term of years if death occurs; up to 20 years for permanent disfigurement/life-threatening bodily injury; up to 10 years for serious bodily injury/use of a dangerous weapon; up to 5 years otherwise.

2. New Federal Crime For Interstate Violation of Protection Orders.

New federal criminal penalties for crossing, or forcing a spouse or intimate partner to cross, state lines or Indian country borders with the intent to engage in conduct that violates a protection order against credible threats of violence, repeated harassment, or bodily injury, and does engage in such conduct. Penalties: same as for interstate domestic violence crimes.

- F. Victim Of Violence Against Women Has Right To Be Heard At Pretrial Release Hearing On Danger Posed By Defendant Requiring Detention.**
- G. States and Tribes Required To Enforce Protection Orders Issued By Another Jurisdiction As If It Had Been Issued By That State or Tribe.**
- H. Pretrial Detention Of Defendants In Federal Sex Crime Cases Allowed.**
- I. Expanded Federal Criminal Code To Include As A Felony Intentional Touching Of Genitalia Of Victims Under 16 With Intent To Gratify Sexual Desire.**
- J. Provides For Payment Of Costs For Testing Of And Counseling For Sex Offense Victims For Sexually Transmitted Diseases/Rape Exams.**
- K. Allows Suspending Payment Of Federal Benefits To Defendants Who Are Found By A Court To Be Delinquent In Paying Restitution To A Victim.**